

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

NORMAN ALAN KERR, )  
 )  
Petitioner, )  
 )  
v. ) 1:25CV721  
 ) 1:09CR290-1  
UNITED STATES OF AMERICA, )  
 )  
Respondent. )

ORDER

On October 27, 2025, the United States Magistrate Judge's Recommendation and Order was filed and notice was served on the parties in accordance with 28 U.S.C. § 636(b). Objections were filed within the time limits prescribed by section 636. (Doc. 301.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objections were made and has made a de novo determination in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Petitioner's "Rule 60(b)" Motion (Doc. 295) be construed as an attempt by Petitioner to file a second or successive § 2255 action.

IT IS FURTHER ORDERED that action is DISMISSED due to Petitioner's failure to obtain certification from the Fourth

Circuit as required by 28 U.S.C. §§ 2244 and 2255 and Fourth Circuit Local Rule 22(d).

/s/ Thomas D. Schroeder  
United States District Judge

January 12, 2026